

# THE BAUMHOLDER BUGLE



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## ACCIDENT REPORTING AND YOUR RESPONSIBILITIES

If you have ever been in a personal car accident involving damage or injury, your private insurer probably required you to report the incident as soon as possible to allow them to investigate and determine liability. If you are involved in an accident that could result in a claim for or against the U.S. Government, you have a duty to ensure that the matter is reported promptly to the appropriate Government Claims Office.

The U.S. Government, including the Department of Defense, is self-insured. The Army is responsible for investigating, evaluating, and determining liability for loss or damage to property, injury, and wrongful death caused by Army and DoD activities assigned to units in Germany. The Claims Office in the Baumholder Law Center is responsible for ensuring that such incidents are properly investigated and evaluated for liability for incidents occurring in the Germany.

If you are involved in or know of an accident involving Service members or Government employees, which results in loss or damage to property or personal injury or death:

- You should immediately notify the provost marshal (MPs), your chain of command. Reporting such incidents is for your protection.
- If you are personally involved in the accident, your supervisor should

complete a statement concerning your scope of employment at the time of the incident.

- If the matter involves a traffic accident, the Standard Form (SF) 91 should be completed. Supervisors should complete blocks 71-82 to address scope of employment.



- For other types of incidents, your supervisor may have to complete a narrative statement.
- Service members and Government employees are immune from claims from third parties or lawsuits for loss, damage, or injury attributable to acts performed in the scope of the Service members or employee's military or work duties. Commanders and leaders of Army and DoD organizations or

activities are responsible for investigating incidents involving their Soldiers, employees, or equipment that may give rise to claims for or against the United States. Such incidents can occur as a result of falls or other accidents on Government facilities or property. Property damage and injuries sustained

by customers, including retirees, generally require investigation under either the Federal Tort Claims Act (FTCA) or Military Claims Act (MCA). Prompt identification of these incidents is critical to establish facts necessary for proper liability determination. Work-related injuries are not considered under the FTCA or MCA, but should be reported

immediately to the employee's servicing personnel office as a worker's compensation claim. Immediately upon identification of a potential claim, a commander, supervisor, or the leader of an activity should contact the Claims Office at the Baumholder Law Center. For questions regarding potential claims arising from Army or DoD activities, you may call our office at: DSN 485-6507 or Commercial 49 (0) 6783-6-6507.

### SPECIAL POINTS OF INTEREST:

- *What is a TORT? Page 2*
- *Tax Center services are free? Page 2*
- *Your claims office is not a insurance company*
- *Why you might want to purchase Private Insurance*
- *Claims Division Mission Statement*
- *Basement storage the pros and cons*

WE'RE ON THE WEB!  
WWW.BAUMHOLDER.ARMY.  
MIL/SITES/LOCAL/  
LEGAL2.ASP

## BAUMHOLDER CLAIMS OFFICE MISSION

**Mission:** Process claims against the U.S. Government filed by Military Service members, DA and DOD Civilians, Family Members, and eligible retirees. **Claims May Be Filed At:** The Baumholder Law Center, Claims Office, USAG Baumholder, Building 8222, Room 211-212. You can contact our office at DSN: 485-6507 or Commercial at +49 (0)6783-6-6507. We are open Monday through Tuesday and Thursday through Friday: 0800-1200 and 1300-1500 emergencies and appointments only. Wednesday's Walk-ins 0800-1200 and 1300-1500.

Of significance and things to remember:

- DD Form 1840/R (Pink Form) or "Notification of Loss/Damage AT Delivery"/"Notification of Loss/Damage AFTER Delivery must be given to the Claims Office within 70 calendar days from the date of delivery or within 75 calendar days to the Transportation Service Provider (TSP).
- Full Replacement Value (FRV) protection is an important new benefit for military Service members, DA and DOD Civilian employees, and their families. Every FRV claim must be filed within nine months of delivery!

- Privately Owned Vehicle (POV) shipping claims: Damages to your POV must be reported **IMMEDIATELY** on the Vehicle Inspection and Shipping Form at the Vehicle Processing Center (VPC) at USAG Baumholder. Once you drive away, it will be most likely be too late! Senior Claims Examiner: Andy Harvey DSN: 485-8677 Andreas.harvey@eur.army.mil Claims Examiners: Brigitte Schanz DSN: 485-6507 Brigitte.schanz@eur.army.mil Karl Sawallisch DSN:485-8237 Karl.sawallisch@eur.army.mil Chief or Legal Assistance: Pamela.cater@eur.army.mil

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## MILITARY CLAIMS ACT DAMAGE TO SOLDIERS' POV BY GOVERNMENT DRIVER

Q. A Soldier gets into an accident with another vehicle, causing damage to the Soldier's privately owned vehicle (POV). The other vehicle was operated by a government driver. Can the Soldier be compensated for the damage to his POV?

A. The Soldier may be able to file a claim and recover for property damage through the Military Claims Office (MCO). Under the Military Claims Act (MCA), Title 10 U.S.C. Section 2733 and Army Regulation 27-20, Chapter 3, Soldiers can recover on a claim for POV damage caused by a government driver, such as another Soldier or Department of Defense (DOD) civilian, operating a government owned or leased vehicle, if the government driver was 1) at fault for the accident (negligent and caused the damage) and 2) drove the vehicle during the course and scope of employment with the U.S. Army (in-scope requirement). Soldiers can also file property damage claims with their insurance company instead of with the MCO.

Q. How is it determined who was at fault for the accident?

The Claims Judge Advocate (CJA) at the MCO, will determine who was at fault for the accident by applying the negligence laws of Ger-

many.

Q. Who determines if the government driver operated the vehicle during the course and scope of employment with the U.S. Army?

The government driver must fill-out an SF-91 (Accident Report); the driver's supervisor will also state on the form whether such driver was authorized to drive the vehicle and serving within the course and scope of his or her employment.

Q. Will the claim be denied if the government driver cannot be identified?

A. The claim will be denied if sufficient information cannot be provided to identify the alleged government driver. For example, the Soldier was following a "military convoy" when debris was ejected from one of the vehicles in the convoy and struck the Soldier's POV. The Soldier is unable to identify the driver or the convoy's military unit. The claim will be denied since the Claims Office will not be able to determine if the driver had operated the vehicle during the course and scope of employment with the U.S. Army.

Q. How does a Soldier file a claim with the MCO?

A. The MCO will need the following documents to evaluate a property damage claim for a POV: an SF-95

(Claim for Damage, Injury or Death), a copy of the registration for the damaged vehicle, a copy of the insurance declaration page covering the damaged vehicle, two (2) written estimates of repair/damage from reputable auto repair shops, and a copy of the Military Police and/or civilian police report. It is imperative that the person filing the claim is the registered owner of the damaged vehicle.

Q. Is there an advantage to filing a claim with the MCO versus the Soldier's insurance company?

Since MCA claims can take several weeks to months to investigate and process the paperwork, Soldiers may receive faster claims processing with their own insurance company. Soldiers can then file a claim for their insurance policy deductible with the MCO. These deductible claims are processed under the MCA and AR 27-20, Chapter 3, as discussed above.

Q. How can I obtain

further information on filing a claim through the MCO?

A. For further information, contact the Baumholder, Claims Office at CIV: 06783-6-6507 or DSN: 485-6507. Our office is located in Bldg. 8222, Ordnance Rd., 2nd floor.



## PRIVATELY OWNED VEHICLE SHIPMENTS

- At the Vehicle Processing Center (VPC) you will be told to inspect your vehicle and note all new damage in a block on the back of the "Vehicle Inspection and Shipping Form" (VISF). The contractor's representative will then indicate on that form whether he or she agrees or disagrees with the damage you noted.

- A Government contracting officer's representative (COR) will be present at the VPC. If you dispute any of the notations by the contractor's inspector, you should ask that the COR be called to try and resolve the dispute on the spot. The COR will place his or her own remarks on the back of the VISF together with his official stamp.

When picking up your vehicle at the VPC on USAG Baumholder, always ensure all the accessories shipped with your vehicle are present and do a walk around inspection to look for cosmetic damage to include undercarriage and roof. You should also start the engine and check every possible electrical and mechanical system on the vehicle. Listen to the engine for unusual noises. At the time of the inspection you may not be permitted to move the vehicle, but before you leave the VPC, you should pay close attention to how the vehicle is driving; check the brakes for noise and be sensitive to changes in the transmission. If you discover a problem before you leave the VPC or within a few miles of departing the VPC, you should return at once and report it immediately.

**Damage reported more than a few hours after departing the VPC, probably will not be payable.**

- In many cases, the contractor's representative will make a direct settlement offer if he or she agrees to the transit damage identified. You should always consider all of the facts, such as the age and mileage on the vehicle and its overall condition before you turn down the offer. Once you leave the VPC the offer is no longer valid. You cannot check with the Claims Office or private insurance company to see whether they would pay you more and then return to the VPC and accept the offer.

- If you cannot resolve the issue at the VPC or if you feel that the offer made to you by the contractor does not fairly compensate you, call the Claims Office at the Baumholder Legal Center and schedule a date for a claims inspection. Claims inspections will be performed jointly (with you and a Claims Adjudicator) in the parking area's in front/back of the Baumholder Legal Center.

- Unlike shipment of household goods and unaccompanied baggage, there is no provision for giving timely notice of loss or damage within 70 days of delivery. The presumption is that if a problem was not found on the day of delivery, it did not happen in transit.

- A claims inspection cannot serve in lieu of the joint inspection conducted by the owner and the authorized Government inspector or the contractor's representative. A claims inspection cannot cure a waiver of notice and the specific damage verification that a joint inspection provides. As a general rule, a Government inspector or a contractor's representative cannot verify any loss or damage discovered after the joint inspection and departure from the

## BAUMHOLDER TAX CENTER

### Services:

Free preparation of state and federal tax returns for years 2008-2010 for Soldiers, Family members, DoD Civilians and Retirees.  
Free electronic filing of 2010 taxes.  
Appointments are strongly encouraged.

### Required Documents:

W2 (all of them if you have more than one)  
1099 INT, 1099B, 1099MISC, 1099R (any 1099 documents)  
1098 (tuition payments, mortgage interest, etc.)  
Information about other income, such as a Lohnsteuerbescheinigung  
2009 tax return  
ITIN Number for spouse, if applicable  
Social Security Card(s) for all dependents  
Day Care Financial Statements  
Social Security Number or Tax ID (EIN) number for FCC Providers who care for your child(ren)  
Account number and routing number for direct deposit  
If filing joint: spouse or power of attorney document

### Hours of Operation:

Monday-Friday 0900 to 1600

Phone Numbers:

DSN 485-1040

Comm. 06783-61040

Location:

Baumholder Legal Center

Building 8222, First Floor

Website:

<http://www.baumholder.army.mil/sites/local/Legal/TaxCtr.pdf>

## WHAT... JUST 70 DAYS!! CLAIMS NOTICE.. PROVIDING ADEQUATE NOTICE:

Most Important Step: Give notice to the Transportation Service Provider (TSP) commonly known as the moving company, nowadays almost all reporting and claim filing is done electronically, however, notification can also be done via fax, make sure that you get a "sent receipt" from the fax machine. Another possibility is to call and make an appointment with the Claims Office, we will assist you through the reporting process. Count each day beginning with the day after delivery. Be sure to include weekends and holidays. It is unlikely that you will receive payment for items not timely reported on this form. **If you elect to file with the Claims Office we will need:**

You (or your spouse) must submit DD form 1840/1840R. If you have two or more shipments, then you should have more than one notice forms (DD Form 1840/1840R). Block 10 on the DD Form 1840 states the code of service. Code 7, 8, 9 or J is your unaccompanied or express baggage; code 4 is your household goods or non-temporary storage release. Find the inventory that goes with each shipment. If you are not sure which one is which, compare the date on the inventory to the pick-up date listed on block 8 and see if it matches. DD Form 1840/1840R should have been given to you by the delivery agent (TSP). To complete this form, leave the 1840 (Joint Statement of

Loss or Damage at Delivery) untouched, reverse it, and only write in original ink on the 1840R (Notice of Loss or Damage). Write on the 1840R side to annotate any additional excep-

tions not noted upon delivery. If you have more damages to list than can fit on DD Form 1840R, make a copy before you start writing on it, or use a blank piece of paper and model your list after the form.

Completing DD Form 1840R:

On DD Form 1840R, only complete section A:

a1. The PPGBL/order number can be found on the DD Form 1840 in block 7. The date of delivery can be found in blocks 14f and/or 15f of the DD Form 1840.

a2. Look up the inventory number of the item listed on your copy of the inventory that was prepared at pick-up. Write down the name of the item as listed in the inventory and provide a description of the damage to include the nature, extent and location of the damage. If an item was placed in a box that is la-

beled incorrectly or if the item was named differently, describe the item with your own words or annotate what other items it was packed with to clarify why the box was misla-

beled. "Broken" or "damaged" are not valid descriptions. You must be specific when describing the damages to your items. Please bring all the transportation documents (including the original inventory) with you and all available copies of the DD Form 1840R. We will properly complete and dispatch the form and brief you

on your filing options when you visit our office.

DO NOT repair or throw any damaged items away before you submit your notice form.

Whichever way you choose to report you can stop by or call the Baumholder Claims Office and we will assist you.

If you have any questions, please do not hesitate to contact the Claims Office at the Baumholder Legal Center.



## THEFT, VANDALISM, AND UNUSUAL OC- CURRENCES

Losses resulting from incidents of theft, vandalism, fire, flood, and other "unusual occurrences" may be payable under the Personnel Claims Act (PCA). Such losses must occur on a military installation (if you are outside the continental US, then at your quarters) and must be incident to one's military service or civilian employment with the Department of Defense. Claims must be submitted to a military claims office within two years of the date of the incident to be considered under the PCA.

To submit a claim for such loss, you must submit the following:

- Completed DD Forms 1842 and 1844.

- A police report or witness statements concerning the incident.

- Estimates of repair or replacement for the damage.

- Vehicle registration for claims involving vehicle damage.

- Insurance policy and proof of settlement or non-payment. You are required to settle with your insurance, if coverage exists, prior to consideration of your claim by the Army.

- Proof of housing or employment assignment. This is necessary to establish that the loss is incident to military service or civilian employment with the military.

## MILITARY LEGAL RESIDENCE AND HOME OF RECORD

By Rod Powers, About.com Guide

In the United States Military, there is a difference between the terms "Home of Record," and "Legal Residence." "Home of Record" and "Legal Residence" may, or may not be the same address. One's "Home of Record" is the place one was living when they entered the military (or, re-enlisted in the military, if one chooses). "Home of Record" is used to determine travel entitlements when one separates from the military. It has nothing to do with voting or paying taxes, registering vehicles, nor any of the other privileges of state residency. "Home of Record" can only be changed if there is a break in service of more than one day, or to correct an error.

"Legal Residence," or "domicile", on the other hand refers to the place where a military member intends to return to and live after discharge or retirement, and which they consider their "permanent home." Legal residency determines what local (state) tax laws a military member is subject to, and in which local (city,

county, state) elections they may vote in. Because military members may have "legal residence" in one state, but be stationed in a different state, the Servicemembers Civil Relief Act, allows military members to pay taxes, register vehicles, vote, etc., in their "state of legal residence," rather than the state they are stationed in. This can sometimes result in a tax advantage because several states exempt military pay from state taxes.

Does that mean a military member can change their "legal residence" anytime they want, and therefore avoid paying state taxes? Not quite. Under the law, "legal residence" is the place that the military member intends to live after they separate or retire from the military. It's the place that they consider their "permanent home."

Depending on their service, and local policies, an active duty military member can change their "legal residence" by visiting their local base legal office and/or base finance office and completing a DD Form 2058, State of Legal Residence Certificate. However, the military is

required by regulation to ensure that military members are not changing their "legal residence" for the sole purpose of obtaining a tax advantage. Therefore, when changing your "legal residence," military officials at the legal office (or finance office) may require some degree of proof that you consider the new state to be your "permanent home."

The easiest proof is "physical presence in the state." If you are currently stationed in a state, and wish to make it your permanent home, it's generally pretty easy. If you are not currently stationed in the state you wish to make your permanent home, and have never been stationed there, it becomes much harder. Generally, you need a specific address, not just the state in general. You can show your intentions to become a legal resident by registering to vote in the new state, by titling and registering your car in the new state (notifying your old state of the change), by getting a driver's license in the new state, or by preparing a new last will and testament (indicating your new state as your legal residence). Buying real property in the new state will also reinforce your claim.

Unless you can show such clear intentions, the military will probably not allow you to change your "legal residence." Particular care should be taken to ensure your pay records are up-to-date concerning your state of legal residence. If incorrect, you may wind up paying taxes to the wrong state, or paying taxes and penalties in more than one state. If you have any doubt about your state of legal residence, contact your legal assistance office.

You may also be required to complete a W-4 form to determine the amount of withholding, or exemption from withholding state taxes.



## CLAIMS ADVICE FOR PCS MOVES

Moving is something all Soldiers are familiar with. Unfortunately, moves often result in loss and damage of the items being shipped. Whether it is a scratch on a family heirloom, or a box of your favorite compact disks that disappears during the move, such losses can be traumatic.

The military claims system is designed to help Soldiers recover for such losses. It is also designed to ensure that the carrier responsible for the loss and damage is held accountable. This article will explain the military claims system and explain ways you can ensure fair compensation for any loss and damage you suffer during a PCS move. Before the Move the best way to ensure you will be compensated for loss and damage during a move is to take a few precautions before the move. This is the best time to document what you own and to ensure that you have the insurance coverage that you need.

The first thing to consider is whether you need additional insurance protection. You can either purchase your own insurance or, for moves within the continental United States, you can buy additional insurance protection through the transportation office. If you do not purchase insurance, the Army claims office can only pay the depreciated replacement or repair cost of your lost and damaged items. This is because the relevant claims statute only allows payment for current market value and not full replacement cost. In addition, the claims office has certain maximum amounts payable for specific items; for example, the maximum for stereo equipment is \$1,000 per item and \$4,000 per shipment. If you need more protection, you should consider buying insurance.

**Most private insurance contracts will reimburse you only for items lost or destroyed during shipment; they usually will not cover damaged items** (items which can be economically repaired). Some insurance companies provide full replacement cost protection; this means that if your ten year old television is destroyed they will pay to replace it with a comparable new television. Each insurance policy is different; it is important to find out if the coverage satisfies your needs before your move.

For moves within the continental United States you can also arrange for two types of insurance through the transportation office. Option 1 or higher increased released value insurance will provide you with a greater dollar amount of protection for individual items. For example, if you purchase Option 1 insurance and your stereo is destroyed, the carrier will pay you the depreciated value of your stereo up to the full amount the protection you purchased, regardless of the \$1,000 maximum amount allowable for stereo items. Option 2 or full replacement protection entitles you to the full un-depreciated value of your lost and destroyed items. For example, if you purchased Option 2 insurance and your stereo was destroyed, the carrier should pay you the cost of a comparable new stereo. If your stereo is merely damaged, however, the carrier has the option of repairing it. Both Option 1 and Option 2 insurance are purchased from the carrier, so your payment will ultimately come from the carrier. Your local transportation office or claims office can explain the procedures for filing an insurance claim against the carrier.

Documenting what you own is perhaps the most important thing to do before your move. Ensure that you save receipts, bills, appraisals, high value item inventories, and other proof of ownership. These important documents should never be shipped with your household goods. Ship them separately or, better yet, hand-carry them. This way, if your entire shipment is lost, your proof of ownership will not be lost as well.

An excellent way to document what you own is to take pictures or videotape of the items in your house immediately before the move. If you have an extensive compact disk collection, or a number of Hummel or Lladro figurines, this is an excellent way of demonstrating the extent of your collection. Ensure that you videotape the open jewel covers of your compact disks, showing the disks inside. Pictures and videotapes have an added benefit; not only will they show what you own, but they will also demonstrate the condition of your items. If the movers scratch your dining room table, you will have a much easier time proving that the scratch occurred during the move if you have a picture of the table taken immediately before the move. Carry the photos and videotapes with you; do not ship them.

**During the move:** When the packers arrive to pick-up your household goods, you should be ready for them. You should have already decided what items you want the movers to pack and what items you will hand-carry to your new assignment. It is critical to lock items you plan to hand-carry in a separate room or in your car, where they are not accessible to the movers. It is best to hand-carry small, valuable items such as jewelry, rather than to allow the movers to pack them. If you decide to have the movers pack your jewelry, ensure that each item is listed separately on the inventory. Cash, coin collections, and similar items should never be packed; you will not be paid for these items if they are lost. As mentioned above, receipts and similar proof of ownership should either be hand-carried or, at a minimum, shipped separately.

When the movers have completed packing up your household goods and loading them onto the truck, they will present you with an inventory of all of your belongings. You should check this document carefully to ensure that it is accurate. Each line item of the inventory will contain a description of what it is (such as 3.0 cubic foot carton or chair). For items of furniture, preexisting damage will be listed using a code found at the top or bottom of the form (for example sc, ch - 6, 8, 9 means that the legs and right side of your chair are scratched and chipped). Examine the preexisting damages carefully; if the movers have exaggerated the amount of preexisting damages, you should state your disagreement directly on the inventory, in the remarks section directly above your signature. Do not argue with the movers; simply list your disagreement on the form.

When the movers deliver your household goods, make sure that they have delivered everything. Have a copy of the inventory handy and check off the numbers of items when the movers bring them into your new home.

If you notice that any items are missing or damaged, note this on the pink form (DD Form 1840), which the movers will give you. Do not leave this form blank if you have missing or damaged items; the government uses this form later to evaluate whether the carrier did a good job. There is no need to unpack all of your items at this time; you can note additional missing and damaged items later on the reverse side of the DD Form 1840R.

**After the Move You Must Report Loss/Damage:** Unlike most civilian moves, where loss and damage must be noted immediately after

delivery, Soldiers have 70 days to notify the local claims office of loss and damage. This means that after your household goods have been delivered, you have 70 days to unpack them and note any loss and damage on the reverse side of the pink form (the DD Form 1840R). Thoroughly inspect your items: turn on electrical items to ensure they still operate; open the jewel covers of your

compact disks to ensure the disks are still there; check your figurines to ensure they are not chipped. At this point it is sufficient to state the general nature of the damage, such as stereo - does not work. There is no need to get a repair estimate at this stage.

You must turn in the reverse side of the pink form (the DD Form 1840R) to your nearest Army claims office within 70 days of the delivery of your household goods. Failure to do so will make it impossible for the claims office to collect from the carrier responsible for

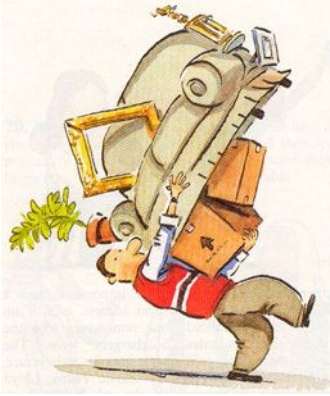
your loss. As a result, the claims office invariably will not pay you for any items that you failed to report within 70 days.

If you choose to file your claim with the Claims Office turn in your DD Form 1840R, the claims office will provide you with forms and information on filing your claim. At this point we will instruct you to get repair estimates and other documentation to substantiate the amount of your loss. You have two years from the date of the original delivery (not from the date you turned in your DD Form 1840R) to file a claim, and only 9 months with the carrier. If you are late in filing your claim the government will not be able to pay you anything.

The Army claims system is designed to help you. However, you also have a responsibility to protect yourself. If you keep proper records of what you own and promptly document damages that occur during the move, you should be able to recover the fair value of your loss. If you have questions, your local transportation office and local claims office can provide the answers! The U.S. Army Claims Service at Fort Meade, Maryland, supervises Army claims offices throughout the world.

## RENTER'S INSURANCE

Renter's insurance is an option that should be considered by all residents in Government housing, on-post or leased, and private rental. Residents are responsible for any damages to personal items as well as damages to the quarters. Sponsors are ultimately responsible for their own actions and the actions of their family members and guests. The Government is not liable for personal property damage due to acts of nature such as lightning, storm damages, and floods. Insurance companies offer discounts for non-smoking households, and for fire extinguishers and smoke detectors located on the premises. Evaluate different policies to ensure the proper type and amount of coverage. Policies exist for full replacement value of personal property or Actual Cash Value (ACV) policy which covers a depreciated value of personal items. Check with an insurance company representative for additional information.



## PROPERTY AND LIABILITY INSURANCE – DO YOU NEED IT??

Insurance? I thought that I didn't need insurance. Doesn't the military claims system cover loss or damage to my property that occurs on post? Unfortunately, I have heard such questions from claimants after the denial of their claims, and the answer is that the military claims system is more limited than many believe. The military claims system provides limited coverage for limited types of losses. Unfortunately, military members and civilian employees may be underinsured because they do not fully understand the coverage limitations of the Personnel Claims Act (PCA).

The PCA provides special protections for on post property losses of service members and employees, including losses due to theft, vandalism, fire, flood or other "unusual occurrence" from on post quarters or place of duty. It does not cover every type of loss and is not intended to replace private insurance. An "unusual occurrence" involves risks outside the normal risks of day-to-day living and working. Some of the losses not covered by the PCA can result in hardship to service members and their families. Don't be a victim!!! Consider the limitations of the PCA, as well as your current insurance coverage, to assess your needs for property and liability insurance.

The PCA may not cover the following types of losses:

**Damage or loss to quarters.** Service members may be held financially liable for fire or flood damage to on post quarters caused by their negligence, including the negligence of family members. Service members or employees can be held financially responsible for fire, flood or catastrophic damage to their quarters and need to check the terms of their renter's insurance policy to determine if coverage is adequate.

**Damage or loss resulting from negligence of the service member or family members.** Have you ever left keys in the front door, items unsecured, candles burning, or forgotten to turn off the stove after cooking? Simple mistakes may cause damage or loss to our own personal property, or may result in personal injury or property damage of loss to others. The potential consequences of such mistakes can be financially devastating. The PCA does not allow payment of claims caused by such momentary lapses of attention or care.

**Hit-and-run incidents/minor collisions.** Minor accidents may include bicycles, car doors, shopping carts, or stray balls hitting a parked car. A deer darting across a Baumholder street or Autobahn is not an unusual occurrence. Claims for damages arising out of such incidents and hit-and-run collisions may be paid only when the personal vehicle was being used under written orders for the convenience of the Government.

**Normal hazards of day-to-day living and working.** Acorns and branches dropping from trees in Baumholder are not unusual occurrences. Hail damage during severe thunderstorms is generally not considered an unusual occurrence. Water, snow and ice, combine with heavy traffic to frequently form potholes in the Baumholder area. Damage caused by potholes is not payable under the PCA. If you believe that a pothole poses a hazard to motorists, the Baumholder Garrison, Directorate of Public Works (DPW) to provide the location and description of the pothole to allow repair.

**Unusable airline tickets.** A claim for the loss of a non-refundable airline ticket, because of the cancellation of leave or change of orders, is not payable. Trip cancellation insurance is generally available from tour operators or independent sources.

**Full replacement cost for used property.** The PCA is intended to compensate claimants for only the actual value of property at the time of its loss. It is not intended to compensate claimants for new replacement cost when used property is destroyed or lost even during a PCS move. Military claims personnel are required to use the Depreciation Guide to adjudicate losses. This normally results in a payment that is lower than what it costs to replace the destroyed or missing item. Insurance companies offer policies that allow the policyholder to purchase insurance for the replacement value of destroyed or missing items.

If you have questions concerning reimbursement for personal property damage or loss, please contact your nearest military claims office.

## BASEMENT STORAGE / THE PROS AND CONS

A common problem for many is where to store items that are not in use at this point. A basement can be a wonderful place to put items that you need to store away. Unfortunately, basements have a tendency to be damp, musty areas so consideration should be taken on what items are best stored in the basement and how to store them.

What to store and what not to store:

Dishes, glass wear, tools, lawn furniture, holiday decorations and seasonal items are all things that can be stored in a basement. Many basements are prone to musty odors, mold and mildew. Try store items that do not absorb odors or grow mold in your basement. Sporting equipment such as baseball bats, balls and soccer gear can also be stored in basements.

Fishing, camping and hunting gear can all be stored inside a basement. Those items are meant to withstand a certain level of moisture and dampness. Camping tents stored in a basement can be rinsed off to remove any dirt that may have collected during storage. Bicycles are another item that can be stored in the basement when not in use.

Many people opt to store seasonal clothing in basements. When storing seasonal clothing, care must be taken to protect the items from any moisture that may be present. See the how to store section on storing these items.

Do not keep items such as baseball cards, postcards, pillows, comforters, musical instruments, wood items, photos, CDs, DVDs, and things of that nature in a basement. These items can become warped because of dampness as well as grow mildew and mold. Also, mice love to use cloth and paper items for their nests. Any item made of paper and cloth should not be kept in the base-

ment. Storing those types of items in a basement may cause them to become ruined. Instead, pack them away and place them in the corner of a closet.

How to store the items:

Since many basements are prone to flooding, it is best to keep items in plastic water resistant bins. Keeping items in a plastic container will not only keep water from damaging your items, but it will also keep pests such as silverfish and crickets from getting to your items. Adding a few desiccant packets inside the containers will help absorb moisture. Desiccant packets are available at department stores nationwide. Never store items in plastic bags or cardboard boxes. They provide no protection against moisture, pets or water. Also, keep the items up off the floor by installing metal shelves in your basement.

If storing seasonal clothing in a basement, invest in Space Bags to place your clothing in. When used in conjunction with a vacuum, Space Bags remove all air from the bag to create an air tight

## THEFT IN GOVERNMENT HOUSING

Theft in contracted/leased or owned Government property, might not be a Government claim. To be compensable, items must be secured and in an authorized storage area. If this is the case contact the Provost Marshall (MP's) and file a report, call the Claims Office to make an appointment. Just keep in mind that the Claims Office is not a insurance company. All cases will be handled on case by case bases. If you should have any questions regarding a potential claim contact the Claims Office at DSN: 485-6507

## VEHICLE REPAIRS

Automobile/Motorcycle repairs are not authorized in family housing, leased housing, unaccompanied Personnel housing areas, streets, or parking areas. Any repair with the possibility of drainage or spillage of gasoline, oil, or other lubricants (POL) on the ground is not permitted. The vehicle owner may be held personally liable for the total cost of environmental cleanup for any spill. Minor maintenance vehicle repairs may be made in place i.e. draining of oil, grease, anti-freeze, brake fluid, etc., on the streets, parking areas, and lawns is prohibited. Residents are advised to use the Auto Crafts Shop at Smith Kaserne or have maintenance performed by a certified mechanic in a garage. Certified garages can properly dispose of used vehicle parts such as tires, batteries, shocks, as well as POL products. Old car parts may not be disposed in regular or bulk trash containers.

## BAUMHOLDER'S LEGAL OFFICE TELEPHONE NUMBERS

Legal Assistance	485-6506
Tax Center	485-1040
International Affairs	485-6286
Claims	485-6507
Trial Defense Service	485-6483